Contt. II-87—14,700—15-11-36.

Home (1936) Department.

MS SERIES.

G.O. No. 1034

Dated 18.6.936

[Despatch Abstract.]

Convict No. 4538, Imam Sahib - Central Jail, Bellary - Remission of sentence - Petition on behalf of - Rejected.

Home 420 D
28.4.38

His Excellency the Governor of Madras 29-4-38
In-Council
Fort St George
Madras.

Home dept
B 2814

The humble petition of Musammat Jainna Bi, wife of Dafedar Imam Saheb of Kampli Hospet Taluk, Bellary district, most humbly and respectfully Showeth:-

That her husband, the said Imam Saheb, was convicted under section 307 I.P.C. by the Sessions Judge Bellary on 29th July 1933 and sentenced to undergo five years rigorous imprisonment.

That he, Imam saheb is at present in the Bellary Central Jail, and his number there is 4538.

That he has undergone more than two years and eight months of his sentence and earned about eight months of remission for good conduct.

That his conduct has been good all this while, and he has been promoted to the highest grade of prisoners, that is to say, to the post of a Convict Warder

That the petitioner is very poor, having no property of any sort, and her husband, too, has none now. And that she has no relatives on whom to depend, and who would support her, for her as well as her husband's parents are dead

That she has small children to support, and no means or wherewithal to do so.

That she is a Muslim Purdah woman, and therefore cannot earn anything, and has to see her little children suffer for something of which they are quite innocent.

That her husband was the only earning member of the family, and after his conviction there is no one to earn, the children being too young

That after his conviction the humble petitioner had to sell all the household things, even cooking utensils and spare clothing to provide food for the children, and that now there is nothing left to sell, and so there is too much suffering for the children through hunger. And the times being bad no one will help

That if the petitioner's husband be released now it would mean the restoration of the lease of life to a whole household.

That his release as per sentences falls on 28th July 1938, but as he has earned some remission and likely to earn more, he has only about an year more to undergo

That if that remaining portion of his sentence is remitted and he released, his and the petitioner's children - poor suffering innocent beings - will not need to suffer any more but bless and pray for a long life for His Excellency and his noble family, for he would have saved their, and the petitioner's, life from an untimely and painful end through Starvation.

That the children are very weak through hunger and sickness, and will not be able to live for another two months even if nothing is done to alleviate their suffering.

P. T. O.

2

That the petitioner had heard that her husband would be released on the recommendations of the Advisory Board, but somehow or other he has not been released. X

vide 'A' enclosed

That the petitioner's family has been, and is very poor, and has no enemies in the village, or even the whole neighbourhood, and that they have been honest all along, and earned their meagre living by honest work.

Therefore, She, the humble petitioner, most humbly and respectfully beseeches that for the sake of her little suffering starving children, the clemency of the noble government may be extended to her husband, the father of her children, and his remaining term of imprisonment be most mercifully cancelled, and he released, that he may come back to his family and feed them; for which act of graciousness and mercy the petitioner and her children will always most sincerely and devoutly thank His Noble Excellency, and pray for the longevity and prosperity of All his family, and hope that Heaven will shower all its blessings on them, just as His Excellency ~~would~~ will have shown mercy to a poor suffering destitute woman and her children.

The petitioner hopes and prays continually that His Excellency will deign to extend clemency to her husband and thereby win her and her gratitude for ever. The Heavens will reward him for his kindness to destitute children.

The humble Petition of —

Muammat Jaina Bi,
Wife of Kampli Dafedar Imam Saheb.
Adoni Mohalla
Kampli.
Hospet Taluk
Bellary District.

X

5

12/11/5 Cr. CC420D ✓ Home Deptt

Endt No. 420D-1 dt 11.5.86

Con ict

- ntence - Petition on bel.

of — Convict no ~~4~~, 4

Imam Sahib _ 6 yrs Bellary

from Musammat Jann

Cr - on appeal

Ref-2 Cr

Reference to the D. G.

of Prisons for early

remarks.

15/5

15/5/86.

To

The D. G. of Prisons ✓

(with C.F.C. are to be

returned with reply)

(Reminder after a month)

Dpn L	Vam st - ner
Dpn ...	LR
Date 11-5-	1986

4

C.F. 30.

Jail **DEPARTMENT.**

Received ASSISTANT SECRETARY TO GOVERNMENT 27 MAY 1936 HOME DEPARTMENT

Registered Home 884 D 36. 27.5.19 28.5.36

Subject.

Jails - Central Jail,Bellary - Convict No.4558, Imam Sahib - Petition for remission of sentence - Ref:- Endorsement No.420-D-1, Home Department,dated the 11th May 1936.

to 3 ants

ENCLOSURES.
No. 6
Spare copies

No. G/. 750

Station Mount Road,Madras. *Dated the* 26th May 1936.

From (Name) Lieut-Col.M.M.Khan,I.M.S.,
(Designation) Ag.Inspector-General of Prisons.

To The Secretary to the Government of Madras,
Home Department.

Sir,

I have the honour to resubmit for orders the petition received with the Government Endorsement referred to above together with the following papers relating to the convict.-

to 6 ants
(1). Nominal roll.
(2). Reports of the District Magistrate and District Superintendent of Police,Bellary.
H 7 to 8 ants
(3). Copies of judgments of the lower and appellate courts.
(4) & (5).

2. The prisoner's case was placed before the Advisory Board held in the Central Jail,Bellary on the 14th March 1936 which directed the case to be brought again for consideration after six months. The prisoner has not -

'A'

submitted any petition to Government up to now.

I have the honour to be,

Sir,

Your most obedient servant,

Rajalusami.

Person~~al~~ Assistant
for Inspector-General of Prisons.

vss.

Ordinary
C class.

Casual
Rice

FORM No. 52.

(See Rule 879, Jail Manual.)

Judl. (Jail-II)-27—9,426—26-5-34.

Nominal Roll of Male* Convict No. †4538. A. Name Dafedar Imam Saheb, Residence (Village, Taluk and District) Kampli (Hospet) Bellary Caste Mohd Sunni Present Age 27 years, Occupation Trade

Section and Code under which imprisoned.	Original sentence of order and date.	Adjudicating Court and Calendar number of case.	Unexpired term of sentence after deducting remission earned. Y.	M.	D.	Present state of health and fitness to undertake a journey.‡	Result of appeal (if any).	Conduct in Jail.	Remarks.
307 I.P.C	Three (3) years R.I. 29.7.33	Sessions Judge, Bellary S.C. 11 of 33	1	5	7	T. H. Health Good (P. failure)	Dismissed	Good	Remission earned up to end of preceding month 273 days.
			0	6	20				
			1	4	17				

* Strike out and add "Female" when necessary.

† After the prisoner's number, add his class A or B, according as he is classed as a Casual (and whether Star) or Habitual, respectively, and after the letter, add the number of previous convictions, thus—No. 3742 B-2.

‡ When a journey is about to be undertaken by a prisoner, the roll is to be signed by the Medical Officer.

NOTE.—Personal and descriptive marks are to be given on the reverse when (1) rolls accompany prisoners transferred, (2) police assistance is sought for the recapture of an escaped prisoner.

Bellary JAIL,
18-5-1936.

28.7.38. ✓
18.5.36 ✓
10.2.2 ✓
3.9 ✓
7.6 ✓

Superintendent.

5 6

9 - 10 - 2

3 - 1 2

12 - 7 - 3

18 - 4 - 1

(2)

1 - 3

Copy of H.7-8 Col/Prebund Ro
G.O. with Encl- 1922-1
25-8-36).

Copy of letter from the Collector of Bellary, to the Superintendent, Central Jail, Bellary, L.Dis.C.No.109/36-Magl., dated the 19th February 1936:--

Convict - No.4538 - Imam Saib of Kampli - premature release.

*****

I enclose a copy of the District Superintendent of Police's letter. He has no objection for the premature release of the convict. I agree with him.

****

Copy of letter C.No.162/Genl/36, dated 14th February 1936 from the District Superintendent of Police, Bellary, to the Superintendent, Central Jail, Bellary, through the District Magistrate, Bellary:--

Ref:- Your No.185/JR/35, dated 27-1-1936 - Convict No.4538 - Imam Sahib - convicted in S.C.No.11/33 of Bellary District - Previous History furnishing of.

The convict mentioned above is a Muhammadan by caste and belongs to Kampli in Hospet Taluk. As his previous history is reported to be not bad, I have no objection to his premature release.

******

Man. Form 16.]

Law (Genl.) Dept. I-16—300—10-11-33.

(on behalf of)

PETITION FROM CONVICT

Home

~~Law (General)~~ Department,

pl CRC No 40208/7 from the convict's copy by — —
p3 C.F. — — Sent to the A.G. of Prisons No. 420 D-1 dy 11-5-36.

[C. No. 8848.] From the Inspector-General of Prisons, No. G750, dated 26-5- 1936,

the papers relating to

submitting ~~an application for remission of sentence from~~ Convict No. 45 -,

p4 L. convicted

~~confirmed~~ in the Central Jail, Bellary

FOR ORDERS.

Name of the Convict :— Imam Sahib

CF p6 and (S) p1

Offence of which convicted :— Attempt to Murder.

(S) p263

Adjudicating Court :— Bellary Sessions Court. (SC 11 of 33)

(S)

Sentence imposed :— Rigorous Imprisonment for five years

(S) p3

Date of sentence :— 29th July 1933.

(S) p1

Appellate Court :— High Court, Madras (CA. 481 of 1933)

(H)

Result of Appeal :— Conviction and sentence confirmed: Appeal dismissed.

(H)

Previous Convictions :— The nominal roll and judgment copies show

CF p6 9 (S) & (H)

10

show no previous convictions. From the judgment it will be seen that the offence was committed in the course of a street fight, that the quarrel was not sudden and that the prisoner took undue advantage and acted in a cruel and unusual manner. He has still 1 year 4 months and 17 days of his sentence to serve. He is about 27 years of age. His conduct in gail has been good. His case was considered by the advisory Board (with reference to para 4 of Govt. 667 Z.J. dt 26-2-1923) on 14-3-36. and was duly placed before the Board, to be brought to it's notice again after six months (i.e. in September 1936), though the local authorities had reported in that connection that there was no objection to the premature release of this prisoner.

2. For orders whether, in the circumstances of the prisoner's release will be considered now in view of the recommendations of the D.M. and the D.S.P., or, whether the petition will be rejected.

In view of A above, the petn may be rejected. The Bd's recommendation may be awaited in due course.

(S) A or H 2 & 3.

CF p6.

Card

CF / vide 'a' on p 2.

(A) p4

CF A on p 4 A

C.F. H 7 & 8.

ASSISTANT SECRETARY TO GOVERNMENT 17 JUN 1936 HOME DEPARTMENT

CF H 1-2.

A on p. 4 ante

Through F. Section. CRW 10/6

10/6/36.

10/6

5

-B

A.S

Draft submitted - vide orders overleaf.

16/7/6.

18/7

49/18/6

12

C.F. 16.

Home Dept.

DRAFT FOR APPROVAL.

	Date.	Initials.
When received for fair copying ..		
When copied ..	18/6	VR
When examined..	19/6	PR
When signed ..		
When despatched.		

SUBJECT:— Convict — Remission of Sentence — Petition on behalf of — Rejected — Central jail, Bellary — No. 4538, Imam Saheb —

READ AGAIN _____, dated _____ 19____.

" " _____ " _____ 19____.

READ *ALSO*:—

p1 CP C No. 4208 From the Convict's wife No. — , dated — 19____.

p3 CP " Endt by the D.G. of Prisons " 4208-I " 11-5- 1936.

p4 CP. C " 884 D from the do dt " G.750- " 26-5- 1936.

Order — Ms. ~~Resolution — Rout.~~ No. 1034, dated 18. 6. 1936

The Govt. decline to interfere with the sentence passed on Convict No. 4538, Imam Saheb confined in the Central jail, Bellary.

CP. 18/6.

To

The petitioner ✓

('x' on p 2 CP.)

17/6/36. 18/6

Copy to the D.G. of Prisons ✓

(with judgment copies returned)

(S) & (H)

Sent by Van / Post / Messenger

Dpt.'s Initials. CR

Date 14-6-1936.

D2
25/8

Ems 1922 D-1
25/8

I

T. 9.5.7